

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Hidehiko Asai) Examiner: Pawandeep Dhingra
Application No.: 10/762,342) Group Art Unit: 2625
Filed: January 23, 2004) Confirmation No.: 5188
For: IMAGE FORMING APPARATUS,)
IMAGE REPEAT METHOD AND)
LAYOUT METHOD OF IMAGE)
FORMING APPARATUS,)
PROGRAMS OF IMAGE REPEAT)
METHOD AND LAYOUT METHOD, :
AND STORAGE MEDIUM)
STORING PROGRAMS : September 5, 2008

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Sir:

In response to the Office Action mailed August 7, 2008, the Examiner is respectfully requested to enter and consider the following election and remarks.

In the Office Action, the Examiner requires an election of one of four species, namely:

- I. The species of the embodiment disclosed in claim 1;
- II. The species of the embodiment disclosed in claim 9, as well as claims 10 and 11;
- III. The species of the embodiment disclosed in claim 12, as well as claims 15, 20, and 21;
- IV. The species of the embodiment disclosed in claim 14, as well as claims 22, 26, and 27.

In response, Applicant elects Species III. Applicant submits that Species III reads on independent claims 12, 15, 20, and 21, as noted in the Office Action, as well as claims 13 and 16-19 which depend from one of the independent claims. Thus, Applicant elects, without traverse, Species III, readable on claims 12, 13, and 15-21.

Applicant additionally submits, however, that Species II is directed to the same general concept as Species III, and, as such, Applicant submits that it would not be additional burden on the Office to examine the claims of Species II, namely claims 9-11, in conjunction with the claims of elected Species III. Accordingly, Applicant requests that the claims of Species II be examined in conjunction with the claims of Species III.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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